

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skpf.com

JC978 U.S. PTO  
09/829066  
04/10/01

ROBERT GREENE STERNE  
EDWARD J. KESSLER  
GEORGE A. GOLDSTEIN  
SAMUEL L. FOX\*\*\*  
DAVID K.S. CORNWELL  
ROBERT W. ESMOND  
TRACY-GENE G. DURKIN  
MICHELE A. CIMBALA  
MICHAEL B. RAY  
ROBERT E. SOKOHL  
ERIC K. STEFFE  
MICHAEL Q. LEE  
STEVEN R. LUDWIG

JOHN M. COVERT\*  
LINDA E. ALCORN  
ROBERT C. MILLONIG  
MICHAEL V. MESSINGER  
JUDITH U. KIM  
TIMOTHY J. SHEA, JR.  
DONALD R. MCPHAIL  
PATRICK E. GARRETT  
STEPHEN G. WHITESIDE  
JEFFREY T. HELVEY\*  
HEIDI L. KRAUS  
JEFFREY R. KURIN  
RAYMOND MILLIEN

PATRICK D. O'BRIEN  
LAWRENCE B. BUGAISKY  
CRYSTAL D. SAYLES  
EDWARD W. YEE  
ALBERT L. FERRO\*  
DONALD R. BANOWIT  
PETER A. JACKMAN  
MOLLY A. MCCALL  
TERESA U. MEDLER  
JEFFREY S. WEAVER  
KRISTIN K. VIDOVICH  
KENDRICK P. PATTERSON  
DONALD J. FEATHERSTONE

GRANT E. REED  
VINCENT L. CAPUANO  
JOHN A. HARROUN\*  
ALBERT J. FASULO II\*  
W. BRIAN EDGE\*  
ELDORA ELLISON FLOYD\*  
W. RUSSELL SWINDELL  
THOMAS C. FIALA  
LONNY L. MULLER\*  
BRIAN J. DEL BUONO\*  
VIRGIL L. BEASTON\*  
RYAN J. STAMPER\*

KAREN R. MARKOWICZ\*\*  
SUZANNE E. ZISKA\*\*  
ANDREA J. KAMAGE\*\*  
NANCY J. LEITH\*\*  
ELIZABETH J. HAANES\*\*  
MARK P. TERRY\*\*

\*BAR OTHER THAN D.C.  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

April 10, 2001

WRITER'S DIRECT NUMBER:

(202) 371-2560

INTERNET ADDRESS:

RESMOND@SKGF.COM

Commissioner for Patents  
Washington, D.C. 20231

**Box Patent Application**

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)  
Appl. No: To be assigned (continuation of 09/103,577, filed June 24, 1998,  
allowed)  
Filed: April 10, 2001  
For: **Method for Isolating and Recovering Target DNA or RNA  
Molecules Having a Desired Nucleotide Sequence**  
Inventors: P. Nisson *et al.*  
Our Ref: 0942.4800002/RWE/ALS

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office:

1. PTO Fee Transmittal (Form PTO/SB/17) (*in duplicate*);
2. PTO Utility Patent Application Transmittal (Form PTO/SB/05);
3. U.S. Utility Patent Application entitled:

**Method for Isolating and Recovering Target DNA or RNA Molecules Having  
a Desired Nucleotide Sequence**

and naming as inventors:

Commissioner for Patents

April 10, 2001

Page 2

Paul E. NISSON, Joel JESSE, and Wu-bo LI

the application consisting of:

- a A specification containing:
    - i. 46 pages of description prior to the claims  
(including a sequence listing on pages 42 to 46);
    - ii. 4 pages of claims (40 claims);
    - iii. a one (1) page abstract;
  - b 3 sheets of drawings: (Figures 1-3); and
  - c. A copy of the executed combined Declaration and Power of Attorney, as originally filed in parent U.S. Appl. No. 09/103,577;
- 4. Application Data Sheet;
  - 5. A Preliminary Amendment;
  - 6. Amendment and Submission of Substitute Sequence Listing Under 37 C.F.R. § 1.825(a);
  - 7. 4 pages of a paper copy of a sequence listing;
  - 8. A computer readable copy of the sequence listing;
  - 9. Letter to PTO Draftsman: Submission of Formal Drawings (*in duplicate*);
  - 10. Three (3) sheets of Formal Drawings (Figs. 1-3);
  - 11. Authorization to Treat a Reply As Incorporating an Extension of Time Under 37 C.F.R. § 1.136(a)(3) (*in duplicate*);
  - 12. A copy of the Assignment as originally filed in parent U.S. App. No. 09/103,577;
  - 13. A copy of the executed Power of Attorney from Assignee as originally filed in parent U.S. Appl. No. 09/103,577;

TOP SECRET

Commissioner for Patents

April 10, 2001

Page 3

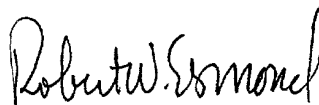
14. A copy of the certificate under 37 C.F.R. § 3.73(b) as originally filed in parent U.S. Appl. No.09/103,577;
15. Revocation of Prior Power of Attorney and Appointment of New Attorneys of Record, as originally filed in parent U.S. Appl. No. 09/103,577;
16. A copy of the merger document between Life Technologies, Inc. and Invitrogen Corporation, recorded against parent U.S. Appl. No. 09/103,577 at Reel 011452, Frame 0123;
17. Two (2) return postcards; and
18. Our check No. 30909 for \$ 1,610.00 to cover:  
\$ 710.00 Filing fee for patent application; and  
\$ 900.00 Fee for excess claims.

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the sequence listing and the computer readable copy of the sequence listing submitted herewith in the above application are the same.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert W. Esmond  
Attorney for Applicants  
Registration No. 32,893

RWE/ALS/asl  
Enclosures

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

## Complete if Known

Application Number	To be assigned (Cont. of 09/103,577, filed June 24, 1998, allowed)
Filing Date	April 10, 2001
First Named Inventor	Paul E. NISSON
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	0942.4800002/RWE/ALS

TOTAL AMOUNT OF PAYMENT \$ 1,610.00

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 19-0036  
Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money Order ☒ Other\*  
\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
101	710	Utility filing fee	\$710.00
106	320	Design filing fee	
107	490	Plant filing fee	
108	710	Reissue filing fee	
114	150	Provisional filing fee	
SUBTOTAL (1)			(\$ 710.00)

### 2. EXTRA CLAIM FEES

Total Claims	Extra	Fee from below	Fee Paid
70	-20** = 50	X 18.00	= \$900.00
Indep. Claims 3	-3** = 0	X 0	= \$0
Multiple Dependent			= \$0

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
103	18	Claims in excess of 20	
102	80	Independent claims in excess of 3	
104	270	Multiple dependent claim	
108	80	**Reissue independent claims over original patent	
110	18	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 900.00)

\*\* or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee paid
105	130	205 65 Surcharge - late filing fee or oath	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for <i>ex parte</i> reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	390	216 195 Extension for reply within second month	
117	890	217 445 Extension for reply within third month	
118	1,390	218 695 Extension for reply within fourth month	
128	1,890	228 945 Extension for reply within fifth month	
119	310	219 155 Notice of Appeal	
120	310	220 155 Filing a brief in support of an appeal	
121	270	221 135 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,240	241 620 Petition to revive - unintentional	
142	1,240	242 620 Utility issue fee (or reissue)	
143	440	243 220 Design issue fee	
144	600	244 300 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	130	123 130 Petitions related to provisional applications	
126	180	126 180 Submission of Information Disclosure Stmt	
581	40	481 40 Recording each patent assignment per property (times number of properties)	
146	710	246 355 Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249 355 For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279 355 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Name (Print/Type)	Robert W. Esmond	Registration No. (Attorney/Agent)	32,893	Telephone	202-371-2600
Signature	Robert W. Esmond	Date	April 10, 2001		

## Complete (if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

# **Certificate Under 37 C.F.R. § 3.73(b)**

Applicant(s): Paul E. Nisson, Joel Jesse and Wu-bo Li

Application No: To Be Assigned Filed: Herewith

For: Method for Isolating and Recovering Target DNA or RNA Molecules having a Desired Nucleotide Sequence,

Life Technologies, Inc., a corporation,  
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership,  
 university, government agency, etc.)

states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☐ An Assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[or]

B. ☐ A chain of title from the inventor(s) of the patent application identified above to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

To the best of the undersigned's knowledge and belief, title of the patent application identified above is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.